

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John C. Harvey and James W. Cuddihy:

Serial No.: 08/469,612

Group Art Unit: 2731

Filed: June 6, 1995

Examiner: DIEP

For: SIGNAL PROCESSING APPARATUS AND
METHODS

Atty Dkt: 05634.0280

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APR 30 1999
GROUP 2700

SUBMISSION UNDER 37 C.F.R. 1.129(a)

BOX: AFTER FINAL

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

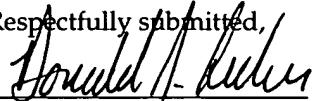
Sir:

Applicants request that the finality of the final rejection dated September 29, 1998 be withdrawn in view of this timely filed first submission under 37 C.F.R. § 1.129(a). Our Check No. 309193 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r). The present application has an effective pendency of at least two years as of June 8, 1995, taking into account any reference of record to any earlier filed application under 35 U.S.C. § 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being filed prior to the filing of an appeal brief and prior to abandonment of the application. Applicants therefore respectfully request that the amendment and request for reconsideration previously filed be entered.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents.

However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 08-3038.

Respectfully submitted,



Thomas J. Scott
Registration No. 27,836
Donald J. Lecher.
Registration No. 41,933
Attorney for Applicants
Tel: (202) 383-6790

Date: April 30, 1999
HOWREY & SIMON
1299 Pennsylvania Avenue, NW
Washington, D.C. 20004

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TRANSMITTAL LETTER

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Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

[] Amendment under 37 C.F.R. § 1.116
[] Request for Extension of Time Pursuant to 37 C.F.R. § 1.136(a) (in duplicate)
[X] Information Disclosure Statement;
[X] PTO Form 1449;
[X] 3 Prior Art References;
[X] An additional filing fee is required, and is calculated as shown below:

	(Col 1)	(Col 2)	(Col 3)		
	Claims Remaining After Amendment	Highest No. Previously Paid for	Present Extra	Rate	Additional Fee
Total	*26	Minus	**26	=0	x \$ 18.00 \$0.00
Indep.	*5	Minus	***5	=0	x \$ 78.00 \$0.00
First Presentation of Mult. Dep. Claim					x \$ 260.00 \$0.00
Total Additional Filing Fee for Request for Extension of Time					\$0.00
Fee for 37 C.F.R. 1.129(a) Submission					\$760.00
Total Fee Enclosed					\$760.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space. "The Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

[X] Howrey & Simon check no. 309193 in the amount of \$760.00 is enclosed.
[X] The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 08-3038.

[x] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
[x] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Donald J. Lecher

Thomas J. Scott
Registration No. 27,836
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Attorneys for Applicants
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